IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

THURSDAY, THE 30TH NOVEMBER 2006 / 9TH AGRAHAYANA 1928

Crl.Rev.Pet.No. 4220 of 2006()

CRA.160/2006 of ADDL. SESSIONS COURT (ADHOC-I), THODUPUZHA
ST.363/2005 of JUDL. MAGISTRATE OF FIRST CLASS COURT, IDUKKI

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REVN. PETITIONER/ APPELLANT/ACCUSED

GOPI, S/O.KUTTAN,
MANAYATHU HOUSE, THADIYAMPADU P.O.,
IDUKKI VILLAGE, THODUPUZHA TALUK,
IDUKKI DISTRICT.

BY ADV. SRI.UNNIKRISHNAN.V.ALAPATT

RESPONDENTS/RESPONDENTS/COMPLAINANT AND STATE

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1. THOMAS, S/O.ULAHANNAN,
   ILLICKAL HOUSE, MANIYARANKUDI,
   IDUKKI VILLAGE, THODUPUZHA TALUK.

2. STATE OF KERALA, REP. BY PUBLIC
   PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

   R1 BY ADV. SRI.CIBI THOMAS
   R2 BY PUBLIC PROSECUTOR ADV. SHRI KAMMAPPU.

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 30/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.T. SANKARAN, J.

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CRL. R.P. 4220 OF 2006

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Dated this the 30th November , 2006

O R D E R

The petitioner was convicted for the offence under section 138 of the Negotiable Instruments Act and he was sentenced to undergo simple imprisonment for a period of three months . He was also directed to pay compensation of Rs.60,000/- to the complainant under section 357(3) of the Code of Criminal Procedure . On appeal by the accused, the appellate court confirmed the conviction and sentence

2. Crl.M.A. No. 12200 of 2006 was filed by the petitioner/accused and the first respondent/complainant, stating that the parties have amicably settled the dispute. That application was allowed.

In the result, Crl. Revision Petition is allowed. The conviction and sentence imposed on the petitioner are set aside. The petitioner is acquitted under section 320(8) of the Code of Criminal Procedure

K.T. SANKARAN,
JUDGE.

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K.T. SANKARAN, J.

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CRL. M.A.NO. 12200 OF 2006 IN
CRL. R.P. 4220 OF 2006

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Dated this the 30th November , 2006

O R D E R

This is an application filed under section 147 of the Negotiable Instruments Act seeking permission to compound the offence under section 138 of the Negotiable Instruments Act. It is stated in the application that the parties have amicably settled the dispute. The application is signed by the complainant as well as the accused and their counsel. The application is allowed.

K.T. SANKARAN,
JUDGE.

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